

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MICHAEL MILES,

Plaintiff,

v.

Case No. 18-cv-10491

Honorable Thomas L. Ludington

OSPREY OTSEGO PROPERTIES, L.L.C., et al,

Defendants.

**ORDER DISMISSING SHOW CAUSE AND DISMISSING DEFENDANT MISSION
POINT OTSEGO OPERATING LLC WITHOUT PREJUDICE**

On February 12, 2018, Plaintiff Michael Miles filed a complaint against Defendants Osprey Otsego Properties, L.L.C., and Mission Point Otsego Operating L.L.C. ECF No. 1. Plaintiff alleges that the Defendants have violated the Americans with Disabilities Act. Defendant Mission Point was served on February 14, 2018, and its answer was due on March 7, 2018. Defendant Osprey Otsego was served on March 3, 2018, and its answer was due on March 26, 2018. Neither Defendant have answered to date. On April 3, 2018, the Court ordered Plaintiff to show cause why the case should not be dismissed for failure to prosecute. On April 26, 2018, Defendant Osprey Otsego Properties answered. ECF No. 9. On May 7, 2018, Miles responded to the show cause by indicating that he has been unable to confirm that Defendant Mission Point is an entity operating in Michigan and seeking to dismiss that Defendant without prejudice. Based on that representation, the order to show cause will be dismissed and Defendant Mission Point will be dismissed without prejudice.

Accordingly, it is **ORDERED** that the order to show cause, ECF No. 7, is **DISMISSED**.

It is further **ORDERED** that Defendant Mission Point Otsego Operating LLC is **DISMISSED without prejudice.**

Dated: May 11, 2018

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 11, 2018.

s/Kelly Winslow
KELLY WINSLOW, Case Manager